

Carlos Hernández
Mayor

Isis Garcia-Martinez
Council President

Luis González
Council Vice President



Council Members
Jose F. Caragol
Paul B. Hernández
Vivian Casáls-Muñoz
Katharine E. Cue-Fuente
Lourdes Lozano

City Council Agenda August 14, 2012 7:00 P.M.

Call to Order/Roll Call of Councilmember's **QUORUM (LG ABSENT)**

Invocation given by David Concepcion, City Clerk

Pledge of Allegiance led by Councilman Paul B. Hernandez

ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK

The following guidelines have been established by the City Council:

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.

Presentations –

Presentation of Check to the City of Hialeah Special Populations Program by the Knights of Columbus Council 7420.

Proclamation presented to Michelle Aguirre, Miss Hialeah USA and Miss Florida USA 2013.

Recognition presented to City of Hialeah Parks & Recreation Dept. employees Sabrina Ocegueda and Janelle Quiñones for an outstanding performance in leading the Organ Wise Guys, healthy eating initiative in the City of Hialeah.

Presentation by the American Institute of Architects (AIA) - Miami Chapter recognizing the City of Hialeah Architect in the Making (AIM) Architecture program

Award of Merit Presented to the Kidz City Learning Center & Academy Karate Championship award winners: Brian Perez, Luis Trutie, Jordan Sanchez, Ahmed Calvo, Carlos Suero, Xzavier Perez, Laura Leyva, Carlos Leyva, Ashley Cabrera, Bryan Hernandez, Maikol Izquierdo, Damian Rodriguez; and Ms. Barbara Ortiz and Sensei Jorge Quintans Garcia for their leadership.

Presentation by Hialeah Fire Department for the I.S.O. Class I Designation by Fire Chief M. De La Rosa.

1. Announcement of Amendments/Corrections to the Agenda (if any)
 - a. **Items III and 9(c) were added to the agenda.**
 - b. **Item NN has been adjusted to reflect the action as a ratification of an executed decision.**
 - c. **Items F, QQ and BBB have been adjusted to reflect the correct total amount.**
 - d. **Items 7, PZ 5, PZ 6, PZ 7, and PZ 8 have been removed at the request of the sponsor.**

1. Consent Agenda –

- A. Request authorization to waive competitive bids, since it is advantageous to the City, and issue a purchase order to HazMatIQ, a sole source vendor, for Haz Mat 160 hour Hazardous Materials Technician Course for HFD Hazardous Materials Response Team, for total amount not to exceed \$75,000. (FIRE DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- B. Request permission to renew the existing agreement with the Florida Department of Transportation - Turf and Landscape Joint Participation Agreement, for a period of one year, for an amount not to exceed \$142,867.53. (STREETS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- C. Request permission to award Bid #2011/12-3210-00-062, Roadway Reconstruction of (a) West 28 Street, W. 12 to W 10 Ave.(b) West 27 Street, W. 12 to W 10 Ave. and (c) West 10-11 Avenue, W. 29 to W 27 Street, to Williams Paving, Inc., for complete right-of-way roadway reconstruction of the area outlined, for a total amount of \$1,175,804.15, including a \$30,000 for contingency charges. (STREETS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- D. Request permission to award Bid #2011/12-3210-00-071, Milling and Resurfacing of Palm Avenue from East 47 to 49 Street, to Metro Express Inc., for roadway construction of the area outlined, for a total amount of \$168,425.75, including a \$15,000 for contingency charges. (STREETS DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- E. Request permission to award Bid #2011/12-3210-00-066, FDOT LAP Landscape Improvements (Hialeah Linear Park) Phase I, II, III and IV, to Manuel Diaz Farms, Inc., for landscape improvements in the area outlined(exhibit “1”), for a total amount of \$331,473.30,. (STREETS DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- F. Request authorization to purchase trees, groundcover and other landscaping items based on price and material availability, since it is advantageous to the City, from the following vendors: Groundskeepers Inc., Mystic Gardens and VisualScape, for a total cumulative amount not to exceed \$70,000. (STREETS DEPT.) **APPROVED (6-0) (LG ABSENT)**

- G. Request permission to issue a purchase order to Island Fence of Dade, since it is advantageous to the City, for the purchase of replacement fence fabric for four softball fields and fence along the south sidewalk, including the installation of new outfield fence with top and bottom rail, straightening approximately 100 poles and 11,000 ft of rail, installation of a new 24x6' rolling gate, and relocation of 2 double gates and the use of steel ties at 12" apart at Bucky Dent Softball Complex according to the detailed schedule (exhibit "1"), for a total amount not to exceed \$69,900. (PARKS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- H. Request authorization to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Fisher Safety, a *sole source* vendor, for the purchase of a Tru Defender Chemical Detector, for total amount not to exceed \$46,500. (FIRE DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- I. Request authorization to waive competitive bids, since it is advantageous to the City, and issue a purchase order to HazMatIQ, a *sole source* vendor, for Haz Mat IQ First Responder Offensive Training, for total amount **APPROVED (6-0) (LG ABSENT)** not to exceed \$16,350. (FIRE DEPT. & GRANTS AND HUMAN SERVICES DEPT.)
- J. Request authorization to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Ten-8 Fire Equipment Company, a *sole source* vendor, to purchase hazardous material monitors, for total amount not to exceed \$17,074.80. (FIRE DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- K. Request authorization to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Fisher Safety, a *sole source* vendor, for the purchase of replacement assorted Drager Tubes, chemical detection paper, strips and detection supplies, for total amount not to exceed \$31,474. (FIRE DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- L. Request authorization to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Fisher Safety, a *sole source* vendor, for the purchase of System Chemical ID Thermo Detector for solids and liquids, for total amount not to exceed \$55,000. (FIRE DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- M. Request permission to increase purchase order number 2012-935 issued to Image First Health Care Laundry Specialists, in the amount of \$8,200, for the purchase of laundry and linen services to Hialeah Fire Stations, for a total cumulative amount not to exceed \$35,100. (FIRE DEPT.) **APPROVED (6-0) (LG ABSENT)**
- N. Proposed resolution exercising the City of Hialeah's option to renew the Support And Maintenance Services Agreement for the City 800 Mhz Simulcast Radio Communication System with Motorola, Inc., a Delaware Corporation, for a term of one year, commencing on October 1, 2012 and ending on September 30, 2013, in an annual amount not to exceed \$273,064.80, payable in equal monthly installments, and further authorizing the Mayor and the City Clerk, on behalf of the City, to negotiate and enter into a Support And Maintenance Agreement With Motorola, Inc. in a form acceptable to the city attorney.

(FIRE DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT) RESOLUTION 2012-89**

- O. Request permission to waive competitive bids, since it is advantageous to the City, and issue purchase order to Florida Bullet, Inc., for the purchase of ammunition for training, Officer Certifications, and for the S.W.A.T. Team. Florida Bullet, Inc., is a *sole source* vendor for Speer brand law enforcement ammunition in the State of Florida, for a total amount not to exceed \$6,2146.60. (POLICE DEPT.) **APPROVED (6-0) (LG ABSENT)**
- P. Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Lou's Police and Security Equipment, to cover the cost of uniforms items purchased by the Police Department during the months of January 2012 through August 1, 2012, for a total amount not to exceed \$37,719.75. (POLICE DEPT.) **APPROVED (6-0) (LG ABSENT)**
- Q. Request permission to waive competitive bids, since it is advantageous to the City, and renew the Professional Services Agreement with ADF Consulting, LLC, for a period of one year, commencing on September 1, 2012 and ending on August 31, 2013, to conduct governmental affairs consulting and representation on behalf of the City, for a total amount not to exceed \$45,000, inclusive of registration fees, costs and expenses, payable in equal monthly installments. (OFFICE OF THE MAYOR) **APPROVED (6-0) (LG ABSENT)**
- R. Proposed resolution authorizing the Mayor or his designee on behalf of the City of Hialeah, Florida, to enter into an agreement with Franco Government Relations, Inc., in the total amount of \$60,000, payable in equal monthly installments of \$5,000 as provided by agreement, for one year commencing on July 1, 2012 and ending on June 30, 2013, to assist the City in identifying and securing additional federal resources, in a form acceptable to the City Attorney. (ADMINISTRATION & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT) RESOLUTION 2012-90**
- S. Request permission to increase purchase order, issued to Florida Lemark Corporation, in the amount of \$115,292, for new stairs in the rear terrace (as per Hialeah Fire Dept.), increase size of generator pad, structure for sound and lighting amphitheater and new janitors closet, for new cumulative total amount not to exceed \$1,623,433. (GRANTS AND HUMAN SERVICES DEPT. & CONSTRUCTION AND MAINTENANCE DEPT.) **APPROVED (6-0) (LG ABSENT)**
- T. Request permission to increase purchase order number 2012-245 issued to Flagler Construction Equipment, LLC, in the amount of \$10,000, for the purchase of heavy equipment parts, for a total cumulative amount not to exceed \$25,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0) (LG ABSENT)**
- U. Request permission to increase purchase order number 2012-916 issued to Cummins Southeastern Power, in the amount of \$10,000, for the purchase of equipment parts and accessories, for a total cumulative amount not to exceed \$35,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0) (LG ABSENT)**
- V. Request permission to increase purchase order number 2012-943 issued to Electrical Sales & Services, in the amount of \$10,000, for the purchase of alternators and starters, for a total

cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.)
APPROVED (6-0) (LG ABSENT)

- W. Request permission to increase purchase order number 2012-665 issued to Power Depot, Inc., in the amount of \$30,000, for the extension of the rental of two (2) trailer mounted generators for temporary power at the Reverse Osmosis Water Treatment Plant (ROTP), for a total cumulative amount not to exceed \$84,942. (FLEET MAINTENANCE DEPT.)
APPROVED (6-0) (LG ABSENT)
- X. Request permission to increase purchase order number 2012-272 issued to Growers Equipment Company, in the amount of \$10,000, for the purchase of Ford equipment parts and accessories for the City's trucks, for a total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0) (LG ABSENT)**
- Y. Request permission to increase purchase order number 2012-944 issued to Gus Machado Ford, in the amount of \$15,000, for the purchase of Ford replacement parts at 8% on items and service for the City's vehicles, for a total cumulative amount not to exceed \$55,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0) (LG ABSENT)**
- Z. Request permission to increase purchase order number 2012-271 issued to Hall-Mark Fire Apparatus, Inc., since it is advantageous to the City, in the amount of \$10,000, for the purchase of E-One fire truck parts, for a total cumulative amount not to exceed \$25,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0) (LG ABSENT)**
- AA. Request permission to increase purchase order number 2012-947 issued to Palmetto Ford Truck Sales, since it is advantageous to the City, in the amount of \$10,000, for the purchase of Ford and Sterling truck parts for the City's trucks, for a total cumulative amount not to exceed \$38,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0) (LG ABSENT)**
- BB. Request permission to award Bid #2011/12-3230-00-054 for Milander Auditorium Project – Folding Partitions, to Hufcor Florida Group, lowest responsive bidder, for a total amount not to exceed \$67,495. (CONSTRUCTION AND MAINTENANCE DEPT.& GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- CC. Request permission to select Milian, Swain & Associates, Inc. (MSA), from the list of authorized engineers approved by the City Council, for the training of new and existing staff in the area of public utility financing, and to review, update and establish procedures and protocols of the same to maximize revenue collection opportunities and ensure the compliance with the set financial procedures and protocols; and issue a purchase order for a total amount not to exceed \$244,437.50. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- DD. Request permission to select Milian, Swain & Associates, Inc. (MSA), from the list of authorized engineers approved by the City Council, for the Department of Water and Sewers Water Accountability Review, to conduct an additional study and review of the current methodology in place by the Hialeah Department of Water and Sewers on the accounting and handling of water losses, unauthorized uses, and other matters in

response to the increase in the amount of Miami Dade County wholesale water rate and anticipated future increase; and develop an implementation plan to account for water used, develop a methodology, and develop a plant to identify and quantify leaks; and issue a purchase order for a total amount not to exceed \$125,000. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**

- EE.** Request permission to select Milian, Swain & Associates, Inc. (MSA), from the list of authorized engineers and consultants approved by the City Council, develop and plan a program for citywide meter replacement considering automated meter reading (AMR) and the use of the private sector for meter reading, to insure maximizing revenue collection opportunities, improving customer service and water conservation; and issue a purchase order for a total amount not to exceed \$90,000. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- FF.** Request permission to ratify the agreement with Milian, Swain & Associates, Inc. (MSA), since it is advantageous to the City, to conduct an audit, inspection and examination of the private haulers financial books in accordance with Section 78-75(b), to insure that all private haulers are reporting the accurate receipt percentage increases with regards to the City of Hialeah Ordinance 2008-19 and the section; and issue a purchase order for a total amount not to exceed \$28,000. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- GG.** Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Acosta Tractors, Inc., lowest responsive and responsible bidder, to provide permanent pavement repairs of the damaged are surrounding the water main along West 8 Ave. and 23 Street, for a total amount not to exceed \$30,828.52. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- HH.** Request permission to increase purchase order 2012-560 issued to Miami Dade Water and Sewer Department for water quality analysis, in the amount of \$15,000, for a water quality laboratory testing recently completed and for testing for the balance of this fiscal year, as required by the Florida Department of Health, for a total amount not to exceed \$40,000. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- II.** Request permission to ratify the agreement with the Everglades Mitigation Bank to purchase environmental mitigation credits for four (4) production wells for the ROWTP Graham property easement located North of NW 170 Street adjacent to the Florida Turnpike, and authorize the Department of Water & Sewers to make a final payment of \$133,750, to comply with the conditions of the wetlands permit for the construction of the aforementioned wells. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- JJ.** Request permission to increase purchase order 2012-1123 issued to J. Bonfil & Associates, Inc., one of the authorized engineers approved by the City Council, in the amount of \$15,000, to complete the remaining portions of the well field surveying work and field measurements of well site #11 and well #10, and in anticipation of the construction of the four (4) Graham wells, for a new total amount not to exceed \$30,000. Furthermore, request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to J. Bonfil & Associates, Inc., for Water & Sewer

department projects not related to the ROWTP, for a total amount not to exceed \$25,000. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**

- KK.** Request permission issue a purchase order to HDR Engineering, Inc., from the list of authorized consultants approved by the City Council, to conduct a detailed analysis of the options provided by the 2012 City of Hialeah solid waste operations and alternatives study, and expand the original study into a four phase program including: (1) an update to the existing financial and rate study, (2) preparation and review of a Request for Qualifications (RFQ), (3) preparation and review of a Request for Proposals (RFP), and (4) the selection and contracting of a vendor or vendors to provide these services (if it is determined that this is a beneficial and viable option), for a total amount not to exceed \$160,170, divided into the individual phases as outlined in exhibit "1". (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- LL.** Request permission to issue a purchase order to Florida Lemark Corporation, lowest responsive and responsible bidder, since it is advantageous to the City, to repair the building facilities and prevent further damage to the building and contents at the City of Hialeah Water and Sewers Building 1A, for a total amount not to exceed \$19,762. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- MM.** Request permission to increase purchase order 2012-1660 issued to Silva Management of Miami, Inc., in the amount of \$15,000, for the maintenance for the Water and Sewer Department's administrative and customer service offices, for a total amount not to exceed \$30,000. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- NN.** Request permission to ratify the Mayors authorization related to the Utility Work by Highway Contractor Agreement (UHWCA) and Memorandum of Agreement (MOA) between the City of Hialeah and the Florida Department of Transportation (FDOT) [FDOT Financial Project ID 249941-1-56-02], for the relocation of several water mains and a force main along West 4th Avenue located by permit within the FDOT Right-of-way to eliminate the utility conflicts, and ratify the payment of the City's portion of the City Council approved Joint Participation Agreement to the FDOT, for a total amount not to exceed \$51,517. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- OO.** Request permission to award Hialeah Bid # 2011/12-9500-00-039 Sewer Pump Station #127, and enter into a contract and issue a purchase order to Intercounty Engineering, Inc. (IEI), lowest responsive and responsible bidder, to reconstruct the Sewer Pump Station #127, for a total amount not to exceed \$298,430. The Department of Water and Sewer is requesting the authority to spend a contingency amount, as needed, not to exceed \$30,000, for unanticipated field conditions that may arise during construction. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- PP.** Request permission to award Hialeah Bid # 2011/12-9500-00-061 West 4th Avenue Water Main Relocation, and enter into a contract with E & M Equipment, Inc. (EM), lowest responsive and responsible bidder, for the relocation of the 8-inch water main along West 4th Avenue between West 23rd and 45th Street, for a total amount not to exceed \$890,183.46. The Department of Water and Sewer is requesting the authority to spend a contingency amount, as needed, not to exceed \$90,000, for unanticipated field

conditions that may arise during construction. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**

- QQ.** Request permission to issue a purchase order to Maguire Group, Inc. Architects, Engineers, and Planners, for an increase in the originally anticipated costs for the reconstruction of Pump Station 006, involving changes to design and environmental permits, and other delays in the project, resulting in an increase in the consulting engineering CEI fees, for a total amount not to exceed \$150,000, inclusive of negotiated reduction of the fees. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- RR.** Request permission to issue a purchase order to VM Construction, Inc., for reimbursement of the rental of a large diameter plug rented during the construction of the inlet pipe in the collection manhole prior to the Pump Station 200, for a total amount not to exceed \$26,394. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- SS.** Request permission to issue a purchase order to Springbrook Software, Inc., the supplier of the Water and Sewers Department's billing system, to upgrade the current 2004 version of the system to the most current version "V7", as recommended by the City's IT Department, for a total amount not to exceed \$118,725. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- TT.** Request permission to increase purchase order #2012-591, issued to Sensus Metering Systems, Inc., sole source vendor, in the amount of \$25,315, to purchase 500 additional water meters and replacement parts for inventory purposes for the Water and Sewers Department, for a total amount not to exceed \$40,315. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**
- UU.** Request to approve the recommendations of the Selection Committee for the selection of BGA, Inc. and the City negotiate and enter into guaranteed energy performance savings contract accordingly, utilizing an amount not to exceed \$300,000 in federal funds for its initial implementation and finance the energy savings capital improvements through annual energy savings guaranteed by BGA, INC. (ADMINISTRATION) **APPROVED (6-0) (LG ABSENT)**
- VV.** Proposed resolution to renew the grant from the Florida Department Of Education in the annual amount of \$474,596.00 for afterschool and summer programs operating out of three 21st Century Community Learning Centers, for students from grades 6 through 10, for one year, commencing on August 1, 2012 and ending on July 31, 2013, ratifying the grant agreement and further authorizing the Mayor or his designee to execute any and all documents and subcontracts in furtherance thereof. (EDUCATION AND COMMUNITY SERVICES) **APPROVED (6-0) (LG ABSENT) RESOLUTION 2012-91**
- WW.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Snack Program Agreement with the School Board Of Miami-Dade County to purchase and provide snacks to participants in city after school programs funded by The 21st Century Learning Communities Grant, for a term of one

year, commencing on August 20, 2011 and ending on August 19, 2012, for an amount not to exceed \$17,550 at a rate of 75 cents for each snack, as attached hereto and made a part hereof as exhibit "1" and authorizing the expenditure subject to reimbursement through the state of Florida, Department Of Education, based on actual attendance figures. (EDUCATION AND COMMUNITY SERVICES) **APPROVED (6-0) (LG ABSENT) RESOLUTION 2012-92**

- XX.** Proposed resolution amending Hialeah, Fla. Resolution 12-38 (Mar. 28, 2012), to revise the codesignation of a portion of Palm Avenue, on the west side of the intersection of Palm Avenue and 64 Street, from "Jason's Way" to "Jason Valdes Way", in honor and recognition of the outstanding life of Jason Valdes, a lifetime Hialeah resident who was killed in an automobile accident on August 5, 2008, with the cost of signage to be paid by the applicant. (OFFICE OF THE CITY CLERK) **APPROVED (6-0) (LG ABSENT) RESOLUTION 2012-93**
- YY.** Request permission to award Bid #2011/12-3230-00-059 for – 36 Unit Elderly Housing - Plumbing, to H & F Plumbing, Corp., sole responsive bidder, for a total amount not to exceed \$100,000,000. (CONSTRUCTION AND MAINTENANCE DEPT.& GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- ZZ.** Request permission to award Bid #2011/12-3230-00-055 for – 36 Unit Elderly Housing – Electrical & Fire Alarm, to Thevenin Enterprises, Inc., lowest responsive bidder, for a total amount not to exceed \$431,000,000. (CONSTRUCTION AND MAINTENANCE DEPT.& GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- AAA.** Request permission to issue a purchase order to R.J. Behar & Company –36 Unit Elderly Housing for the assignment of full-time construction supervisor services on a full-time basis, since it is advantageous to the City, for a total amount not to exceed \$130,000. (CONSTRUCTION AND MAINTENANCE DEPT.& GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- BBB.** Request permission to award Bid #2011/12-3230-00-056 for – 36 Unit Elderly Housing – Elevators, to Schindler Elevator, the second lowest responsive bidder, since it is advantageous to the City, for a total amount not to exceed \$159,500. (CONSTRUCTION AND MAINTENANCE DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**
- CCC.** Request permission to issue a purchase order to the Miami-Dade County Planning & Zoning, to pay for required permit impact fees associated with the construction of the 36-Unit Elderly Housing Project, for a total amount not to exceed \$36,149.44. If approved, the County will reimburse the "school" portion of the impact fees, \$22,032, except administrative costs. (GRANTS AND HUMAN SERVICES DEPT. & CONSTRUCTION AND MAINTENANCE DEPT.) **APPROVED (6-0) (LG ABSENT)**
- DDD.** Request permission to award Bid #2011/12-3230-00-054 for – 36 Unit Elderly Housing – Shell, to MVP Builders, Inc., lowest responsive bidder, for a total amount not to

exceed \$1,149,300. (CONSTRUCTION AND MAINTENANCE DEPT.& GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (6-0) (LG ABSENT)**

EEE. Request permission to reject Hialeah Bid # 2011/12-3230-00-067 for the 72 Unit Elderly Housing – Waterproofing, due to the fact that changes in the scope of work and errors made by bidders; furthermore, requesting permission to allow the department to re-bid and return to Council for approval. (CONSTRUCTION AND MAINTENANCE AND GRANTS & HUMAN SERVICES) **APPROVED (6-0) (LG ABSENT)**

FFF. Request permission to cancel Hialeah Bid # 2011/12-3230-00-0730 for the Milander Auditorium Project – Road Work, due to the fact that changes in the scope of work; furthermore, requesting permission to allow the department to re-bid and return to Council for approval. (CONSTRUCTION AND MAINTENANCE AND GRANTS & HUMAN SERVICES) **APPROVED (6-0) (LG ABSENT)**

GGG. Request authorization to proceed with the disposal of used blackberries and other surplus equipment in compliance with Hialeah Code 2-902. (INFORMATION TECHNOLOGY DEPARTMENT) **APPROVED (6-0) (LG ABSENT)**

HHH. Request permission to increase purchase order 2012-546 issued to Personally Yours Services of Weston, in the amount of \$10,000, for temporary agency services in the Accounting Section for agency temporary cashiers and a receptionist for the Engineering Section for the Department, for a total amount not to exceed \$80,000. (WATER AND SEWERS DEPT.) **APPROVED (6-0) (LG ABSENT)**

III. Request permission to issue a purchase order to the Miami-Dade County, for the administration portion of Milander Auditorium of the Art-In-Public Places requirements of the grant, for a total amount not to exceed \$20,190. (GRANTS AND HUMAN SERVICES DEPT. & CONSTRUCTION AND MAINTENANCE DEPT.) **APPROVED (6-0) (LG ABSENT)**

2. Second reading and public hearing of proposed ordinance amending Hialeah, Florida, Ordinance 11-37 (June 28, 2011) and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the city, to enter into a first amendment to the lease agreement between the city of Hialeah, as landlord, and City Of Hialeah Education Academy, Inc., a Florida not-for-profit, as tenant, for use of the school facility located at Slade park consisting of 22,870 square feet located at 2590 West 76 Street, Hialeah, Florida, for a period of three years, commencing on July 1, 2011 and ending on June 30, 2014, for an annual amount of \$500.00 for each student enrolled, payable in equal monthly installments, and a usage fee of \$88,580.00 for the first year for city services and park facilities based on student enrollment numbers, with up to 3% annual increase for each of the two successive years, a copy of which is attached hereto and made a part hereof as exhibit "1"; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (ADMINISTRATION) **APPROVED (6-0) (LG ABSENT) ORDINANCE 2012-42**

3. Request from Eventus Marketing, Inc. for a street closure permit to hold the Latin GRAMMY Street Party on West 16 Avenue, between West 37 Street and West 42 Street, from midnight, Saturday, November 3, 2012 to midnight, Sunday, November 4, 2012. (OFFICE OF THE CITY CLERK) **APPROVED (6-0) (LG ABSENT)**

4. Proposed resolution accepting a grant award from The Children's Trust in the amount of \$1,012,637.20 for aftercare and literacy programs for the period of one-year commencing on August 1, 2012 through July 31, 2013, with one annual renewal, and authorizing the Mayor and The City Clerk, as attesting witness, on behalf of the City, to negotiate and enter into a grant agreement, in substantial form as attached hereto and made a part hereof as exhibit "1" and execute any and all documents in furtherance thereof. (EDUCATION AND COMMUNITY SERVICES) **APPROVED (6-0) (LG ABSENT) RESOLUTION 2012-94**
5. Proposed resolution strongly urging Florida Governor Rick Scott and the State Board Of Education to adopt and implement the recommendations of the Commissioner's Task Force on Inclusion and Accountability, and strongly urging the Florida Department of Education to maintain current ESOL training requirements for reading teachers of English Language Learners ("ELLs") in Florida's public schools. (COUNCILMAN J. CARAGOL) **APPROVED (6-0) (LG ABSENT) RESOLUTION 2012-95**

Presentations:
Shirley Johnson of 14253 NW 83 PL, VP of the Miami Dade NAACP spoke in urged legislative support of this item, she is an ELL teacher of over 20 years.
Maria Costa of 8001 SW 108 ST Miami, FL, urged Council to support this item as a principal and a LULAC representative.
Discussion: Council

6. Proposed resolution strongly opposing the proposed base rate increase by Florida Power and Light ("FPL"). (COUNCILMAN L. GONZALEZ) **TABLED(6-0) (LG ABSENT)**
7. First reading of proposed ordinance, Florida revising the Final Hialeah, Fla., Land Development Code to reflect pertinent changes to the Hialeah Code and relevant changes in state law enacted since the date of the last revision, including, but not limited to, amending Regulation No. 1. Land Development Procedures, Land Development Regulation No. 7 entitled "Sign Regulation" and Land Development Regulation No. 10. Subdivision Of Land; repealing all ordinances or parts of ordinances in conflict therewith; providing penalties for violation hereof; providing for inclusion in the Hialeah, Fla., Land Development Code and the Hialeah Code; providing for a severability clause and providing for an effective date. **APPROVED (6-0) (LG ABSENT)**
8. Board Appointments
- A. Request to reappoint Beatriz Sosa to the Personnel Board by AFSCME. **APPROVED (6-0) (LG ABSENT) 2012-96**
- B. Request to reappoint Daisy Castellanos to the Planning & Zoning Board by Council V. President L. Gonzalez. **TABLED (6-0) (LG ABSENT)**
- C. Request to reappoint Jesus Hernandez to the Planning & Zoning Board by Councilwoman V. Casals-Muñoz. **APPROVED (6-0) (LG ABSENT) 2012-97**
9. Unfinished Business
10. New Business-

11. Comments and Questions

Presentations:
Mayor would like to thank the Budget Oversight Committee for all of their hard work and dedication.
Mayor advised the public and Council that he will be rolling back the millage rate and presenting another balanced budget.

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ZONING

- PZ.1** Second reading and public hearing of proposed ordinance granting a variance permit to allow a temporary waiver of plat. **Property located at 2455-2495 West 78 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. Applicant: Alejandro Vilarello, ESQ. **APPROVED (6-0) (LG ABSENT) ORDINANCE 2012-**
- PZ.2** Second reading and public hearing of proposed ordinance granting a variance permit to allow a single family home on a substandard-sized lot having a width of 50 feet, where a minimum average width of 75 feet is required, a total area of 6,750 square feet, more or less, where a total area of at least 7,500 square feet is required, contra to Hialeah Code § 98-499. **Property located at 350 West 12 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. Applicant: L.Michael Osman, ESQ. **APPROVED (6-0) (LG ABSENT) ORDINANCE 2012-**
- PZ.3** First reading of proposed ordinance granting a variance permit to allow an oversized carport with 603.41 square feet in total floor area, where a maximum of 400 feet is allowed; allow a rear setback of 2.70 feet and a west side setback of 2.70 feet, where 7.5 feet are required, for two storage sheds of approximately 125 square feet each, contra to Hialeah Code §§ 98-501, 98-502 and 98-1669. **Property located at 390 East 65 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. Applicant: Juan Baez & Rosalina Baez (560 E 55 STREET) **APPROVED (6-0) (LG ABSENT)**
- PZ. 4** First reading of proposed ordinance granting a Conditional Use Permit (CUP) to allow a Middle through Senior High (6 – 12 Grade) Charter School with a maximum total enrollment of 1,300 students pursuant to Hialeah Code §98-181(2)I on property zoned M-1

(Industrial District). **Property located at 651 West 20 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. Applicant: AMFS, LLC, Anthony Cho, Managing Member and Director . **APPROVED (6-0) (LG ABSENT)**

Presentations: by Juan Mayol, ESQ. representing the Charter School applicant

A declaration of Restrictive Covenant was presented to reflect the traffic and other concerns in a form that is acceptable to the applicant, City and neighbors.

Javier Carbonell, of 620 W 20 ST., Lynx Holding, stated he opposed this item (*reflected in the supporting documents p.24-26*).

PZ. 5 First reading of proposed ordinance granting a ordinance granting a variance permit to allow a single family home on a substandard-sized lot having a width of 25 feet, where a minimum average width of 40 feet is required, a total area of 3,125 square feet, more or less, where a total area of at least 6,480 square feet is required, and to allow side setbacks of 5 feet, where at least 5 feet 1 inch is required, contra to Hialeah Code §§98-348. **A vacant lot located on the east side of West 6 Court between West 23 Street and West 24 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. Applicant: Machado Investments, Inc. **TABLED (6-0) (LG ABSENT)**

PZ. 6 First reading of proposed ordinance granting a variance permit to allow the expansion of a nonconforming use pursuant to Hialeah Code §98-377(b) in order that a grandfathered guesthouse be used as a second living quarter, and to allow no interior west side setback for the existing guesthouse, where a minimum of 5 feet 1 inch is required, and to allow an interior east side setback of 4.20 feet for the existing main house, where 5 feet 1 inch is required, contra to Hialeah Code §98-348. **Property located at 478 East 61 Street, Hialeah, Florida.** Repealing All ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. Applicant: Jose R. Soberon & Gisela Soberon **TABLED (6-0) (LG ABSENT)**

PZ. 7 First reading of proposed ordinance granting a variance permit to allow a duplex on a substandard-sized lot having a width of 50 feet, where a minimum average width of 75 feet is required, and a total area of 5,550 square feet, more or less, where a minimum total area of 7,500 square feet is required, to allow a lot coverage of 43%, where a maximum of 30% is allowed, and to allow side setbacks of 5 feet, where at least 7.5 feet are required, contra to Hialeah Code §§ 98-544, 98-546 and 98-2056(b)(2). **Vacant land located on the west side of West 5 Way Between West 23 Street and West 22 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. Applicant: Machado Enterprises, Inc. **TABLED (6-0) (LG ABSENT)**

PZ. 8 First reading of proposed ordinance granting a variance permit to allow a duplex on a substandard-sized lot having a width of 50 feet, where a minimum average width of 75 feet is required, and a total area of 6,750 square feet, more or less, where a minimum total area of 7,500 square feet is required, to allow a corner side setback of 10 feet, where at least 15 feet is required, and to allow a rear setback of 22 feet, where a minimum of 25 feet is required, contra to Hialeah Code §§ 98-544, 98-546 and 98-547. **Property located at 2300 West 5 Way, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. Applicant: Machado Investments, Inc. **TABLED (6-0)(LG ABSENT)**

FINAL DECISION

FD.1 Proposed resolution approving the final decision of the Planning And Zoning Board, , Decision No. 12-06 that granted an adjustment on property located at **520 East 38 Street, Hialeah, Florida**, on condition that the concrete pad, terrace adjacent to and the interior partitions in the accessory building be demolished; and providing for an effective date. Applicant: Agustine E. Maiz and Ligia M. **APPROVED (6-0) (LG ABSENT)**
RESOLUTION 2012-98

LAND USE

LU. First reading of proposed ordinance, amending the Future Land Use Map from From Low Denisty Residential to High Denisty Residential; **Property located at 465 East 7 Street, Hialeah, Florida**, Zoned R-1 (One-Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED (6-0) (LG ABSENT)**

NEXT CITY COUNCIL MEETING: August 28, 2012 AT 7:00 P.M.

**NEXT CITY OF HIALEAH EDUCATIONAL ACADEMY OVERSIGHT MEETING:
August 28, 2012 AT 6:30 P.M.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).